

### REMARKS

Claims 1-10, 12, 15-40, and 42-57 are pending, with claims 1, 21, 28, and 52 being independent. Claims 1, 12, 21, and 28 have been amended and claims 52-57 have been added. Claim 12 has been amended to depend from independent claim 1. The amendments to claims 1, 21, and 28 find support at, for example, in the specification at page 6, line 29 to page 7, line 3. Newly added claims 52-57 find support at, for example, in the specification at page 7, lines 12-13, Fig. 1, and claims 2, 3, 5-9, and 19. No new matter has been introduced.

### **In-Person Interview**

Applicant would like to thank Examiner Yang for the courtesies extended to applicant's representatives during the personal interview conducted on November 3, 2005. As reflected by the Interview Summary (see copy of PTOL-413 form attached to this amendment), the Examiner and applicant's representatives discussed the claims in comparison with Brooks (U.S. Patent Pub. No. 2004/0113912) and Chi (U.S. Patent No. 6,509,898) and agreed that Chi does not remedy the failure of Brooks to describe or suggest a reference value that includes an average value of measured data corresponding to a data dimension. See also Office action of August 23, 2005 at page 3.

### **Rejection of Claims 1-10, 12, 15-33, and 42-51 under 35 U.S.C. § 103(a)**

In the non-final office action of August 23, 2005, claims 1-10, 12, 15-33, and 42-51 were rejected under 35 U.S.C. §103(a) as being unpatentable over Brooks in view of Fushimi (U.S. Patent Pub. No. 2004/0070624) and Chi. Applicant requests reconsideration and withdrawal of this rejection because Brooks, Fushimi, Chi or any proper combination of the references do not describe or suggest the subject matter of independent claims 1, 21, and 28.

Independent claim 1 recites a method that includes obtaining data, corresponding to one or more data dimensions, from a data source. The method also includes generating and rendering a smart radar chart graphical user interface and rendering the smart radar chart graphical user interface, which includes a visual representation of the obtained data corresponding to the one or more data dimensions. Each data dimension is displayed radiating from a central point. Data corresponding to a data dimension is displayed at a position indicating a value of the data in relation to a reference value to enable identification of an exception. The reference value is an average value of measured

data corresponding to a data dimension. The exception represents a positive or a negative deviation from the reference value.

As noted in the Office action, Brooks does not disclose a reference value that includes an average value of measured data corresponding to a data dimension, as recited in claim 1. See Office action of August 23, 2005 at page 3. For this teaching, the Office action relies on Chi. See Office action of August 23, 2005 at pages 3-4.

Chi discloses generating and displaying a tree structure of a generalized graph structure, where, for example, a node in the graph structure represents a web page in a web site and a link between two nodes in the graph structure represents a hyperlink between two web pages. See Chi at col. 1, lines 20-29 and col. 2, lines 18-22. The layout of the tree structure (e.g., web site) is based on the number of times a web page is accessed. See Chi at col. 7, lines 20-29 and 55-63. More particularly, the usage parameter for a web page represents the average number of times per day the web page is accessed. See Chi at col. 10, lines 4-9.

Hence, Chi describes displaying an indication of usage of a web page as measured by the average number of times per day that a web page is displayed. As such, Chi discloses techniques for using a graphical structure to represent usage of a web page. Thus, Chi does not describe or suggest data corresponding to a data dimension that is displayed at a position indicating a value of the data in relation to a reference value, much less describing or suggesting data corresponding to a data dimension that is displayed at a position indicating a value of the data in relation to a reference value to enable the identification of an exception, where the reference value comprises an average value of measured data corresponding to the data dimension and the exception represents a positive or a negative deviation from the reference value, as recited in claim 1. Accordingly, Chi does not remedy the failure of Brooks to describe or suggest the reference value as recited in claim 1.

The Office action relies on Fushimi for the disclosure of a graphical user interface. See Office action of August 23, 2005 at page 3. However, Fushimi's graphical user interface does not cure Brooks's failure to describe or suggest a reference value, as recited in claim 1.

Accordingly, Brooks, Fushimi, Chi, or any proper combination of the references do not describe or suggest a reference value comprising an average value of measured data corresponding to a data dimension, as recited in claim 1. Applicant submits that the combination of these references does not support a prima facie case of obviousness. For at least these reasons, applicant respectfully

requests reconsideration and withdrawal of the rejection of claim 1 and its dependent claims 2-10, 12 and 15-20.

Independent claims 21 and 28 each recite a reference value comprising an average value of measured data corresponding to a data dimension. Accordingly, for at least the reasons described above with respect to claim 1, applicant requests reconsideration and withdrawal of the rejection of independent claims 21 and 28, and their dependent claims 22-27, 29-33 and 42-51.

#### **Rejection of Claims 34-40 under 35 U.S.C. § 103(a)**

Claims 34-40, which each depend from independent claim 28, were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brooks in view of Fushimi, Chi and Slotznick (U.S. Patent No. 6,011,537). The Office action relies on Slotznick, for teaching pop-up windows, overlaying a representation with another representation, closing a displayed representation based on expiration of a predetermined length of time, and inferring an intent to close a displayed representation. See Office action of August 23, 2005 at pages 10-11. However, Slotznick does not remedy the failure of Brooks, Chi, Fushimi, or any proper combination of the references to describe or suggest the subject matter of independent claim 28. Nor does the Office action contend that Slotznick does so. For at least these reasons, applicant respectfully requests reconsideration and withdrawal of the rejection of claims 34-40.

#### **New Claims 52-57**

Newly added independent claim 52 recites a computer program product for generating a smart radar chart graphical user interface. The computer program product includes instructions that, when executed by one or more processors, cause the one or more processors to obtain data corresponding to one or more data dimensions from a data source. The instructions also cause the one or more processors to generate and render a smart radar chart graphical user interface, which includes a visual representation of the obtained data corresponding to the one or more data dimensions. Each data dimension is displayed radiating from a central point. Data corresponding to a data dimension is displayed at a position indicating a value of the data in relation to a reference value for the data dimension to enable identification of an exception. The reference value for the

data dimension is normalized across reference values for other displayed data dimensions. The exception represents a positive or a negative deviation from the reference value.

None of Brooks, Fushimi, Chi, Slotznick, or any proper combination of the references, describe or suggest the subject matter of new independent claim 52. For example, neither Brooks, Fushimi, Chi, Slotznick, nor any proper combination of the references, describe or suggest data corresponding to a data dimension that is displayed at a position indicating a value of the data in relation to a reference value for the data dimension, where the reference value for the displayed data dimension is normalized across reference values for other displayed data dimensions, as recited in new independent claim 52.

Brooks describes plotting multiple process variables on a graph relative to an upper and lower limit generated based on historic values of the variables. See Brooks at abstract, page 1, paragraph 0017 to page 2, paragraph 0021, page 5, paragraph 0063, and Fig. 9. Brooks does not describe or suggest data corresponding to a data dimension that is displayed at a position indicating a value of the data in relation to a reference value for the data dimension, where the reference value for the displayed data dimension is normalized across reference values for other displayed data dimensions, as recited in new independent claim 52.

Fushimi describes displaying data within a radar chart based on a relationship between an axial label and an arranged keyword. See Fushimi at abstract. Fushimi also describes a reference value being assigned to an axial label and positioned on each of a plurality of axes within the radar chart. See Fushimi at abstract. The arranged keyword is displayed at a location nearer to the reference point for an axial label having a high degree of association between the arranged keyword and the axial label and further from an axial label having a low degree of association with the arranged keyword. See Fushimi at abstract. Fushimi does not describe or suggest data corresponding to a data dimension that is displayed at a position indicating a value of the data in relation to a reference value for the data dimension, where the reference value for the displayed data dimension is normalized across reference values for other displayed data dimensions, as recited in new independent claim 52.

Chi, as discussed above with respect to the rejection of independent claims 1, 21, and 28, describes generating a tree structure based on the average number of times a particular web page has been accessed per day. See Chi at col. 1, lines 20-29, col. 7, lines 35-36 and lines 55-63, col. 10,

lines 4-9, and col. 8, lines 39-52. Chi does not describe or suggest data corresponding to a data dimension that is displayed at a position indicating a value of the data in relation to a reference value for the data dimension, where the reference value for the displayed data dimension is normalized across reference values for other displayed data dimensions, as recited in new independent claim 52.

Slotznick, as discussed above with respect to the rejection of claims 34-40, describes a system for displaying secondary information on a user's screen until user-requested primary information can be retrieved and displayed alongside the secondary information. See Slotznick at abstract. Slotznick does not describe or suggest data corresponding to a data dimension that is displayed at a position indicating a value of the data in relation to a reference value for the data dimension, where the reference value for the displayed data dimension is normalized across reference values for other displayed data dimensions, as recited in new independent claim 52.

Accordingly, because none of Brooks, Fushimi, Chi, Slotznick, or any proper combination of the references, describe or suggest the features of new independent claim 52, for example, data corresponding to a data dimension that is displayed at a position indicating a value of the data in relation to a reference value for the data dimension, where the reference value for the displayed data dimension is normalized across reference values for other displayed data dimensions, as recited in new independent claim 52, applicant respectfully submits that independent claim 52, as well as claims 53-57 which depend therefrom, are allowable.

## **Conclusion**

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated August 23, 2005, be extended for one month to and including December 23, 2005.

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Serial No. : 10/697,253  
Filed : October 31, 2003  
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Attorney's Docket No.: 13909-125001 / 2003P00496  
US

Enclosed is a check in the amount of \$250.00 for the excess claim fee and a check in the amount of \$120.00 for a One-Month Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: Dec. 21, 2005

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